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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,	)	<b>CASE NO. 19-71900 MAG</b>
	)	
Plaintiff,	)	GOVERNMENT'S RESPONSE TO THE
	)	NOVEMBER 25, 2019, CLERK'S NOTICE
v.	)	[DKT. 7]
	)	
ROSS ANTHONY FARCA,	)	
	)	
Defendant.	)	

The standard for considering detention at the November 26, 2019, hearing is governed by 18 U.S.C. § 3142(g).

On November 21, 2019, Defendant Ross Farca appeared before the Court for an initial appearance on a criminal complaint. After advising the defendant of the charge and maximum penalties, the government moved for detention. The Court continued the matter to the following day for a criminal records check and further hearing on detention. Following the government's proffered evidence in support of detention, the Court ordered a full bail study and continued the detention hearing to November 26, 2019. On November 25, 2019, the Court directed the parties to be prepared to discuss the standards for considering detention for the defendant. In anticipation of the hearing, the government submits the following:

1 The judicial officer shall consider the factors in 18 U.S.C. § 3142(g), “when determining whether  
2 there are conditions of release that will reasonably assure the appearance of the person as required and  
3 the safety of any other person and the community”:

- 4 1) the nature and circumstances of the offense (in particular whether it is an offense which is violent  
5 or nonviolent in nature, or involves narcotics);
- 6 2) the weight of the evidence against the person;
- 7 3) the history and characteristics of the person –
  - 8 a. character -- including physical and mental condition), family ties, employment, financial  
9 resources, length of time in the community, community ties, past conduct history relating  
10 to drug or alcohol abuse, criminal history, record of court appearances; and
  - 11 b. whether, at the time of the current offense or arrest, the person was on probation, on  
12 parole, or on other release pending trial, sentencing, appeal, or completion of sentence for  
13 an offense under Federal, State, or local law; and
- 14 4) the nature and seriousness of the danger to any person or to the community that would be posed  
15 by the person's release.

16 18 U.S.C. § 3142(g). The United States must show by a preponderance of the evidence that the  
17 defendant is a risk of flight, or by clear and convincing evidence that he is a danger to the community.

18 DATED: November 25, 2019

Respectfully submitted,

19 DAVID L. ANDERSON  
20 United States Attorney

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22 KIMBERLY HOPKINS  
23 Assistant United States Attorney  
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